

CERTIFICATE OF SERVICE

I, WALTER P. McEVILLY, JR., ESQUIRE, certify that on this date, I served a true and correct copy of the foregoing Motion for Summary Judgment and Opening Brief In Support and Appendix (Volumes I and II)³ upon the following person of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Gary W. Aber, Esquire
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Dated: July 25, 2006

Walter P. McEvilly, Jr.

³ The Appendix is being filed with the Court under seal by agreement of the parties.